

NOT FOR PULICATION

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW JERSEY**

EWA PALAK,

Plaintiff,

v.

BJ'S WHOLESALE CLUB, INC., *et al.*,

Defendants.

Civil Action No. 23-138 (SDW) (AME)

ORDER

April 7, 2025

WIGENTON, District Judge.

Before this Court is the Report and Recommendation (“R&R”) dated March 11, 2025, by Magistrate Judge André M. Espinosa (D.E. 63) recommending granting Defendants BJ’s Wholesale Club, Inc. and Robert Eddy’s motion for sanctions (D.E. 56) and dismissing Plaintiff Ewa Palak’s complaint with prejudice under Federal Rules of Civil Procedure 16(f) and 37(b). Plaintiff objected to the R&R. (D.E. 64.) This Court has reviewed the reasons set forth in the R&R by Judge Espinosa as well as Plaintiff’s objection. This court is satisfied that Judge Espinosa properly determined that Defendants’ motion should be granted. Based on the foregoing, and for good cause shown, it is hereby

ORDERED that the R&R of Judge Espinosa (D.E. 63) is **ADOPTED** as the conclusion of law of this Court; and it is further

ORDERED that Defendants’ motion for sanctions (D.E. 56) is **GRANTED**, and it is further

ORDERED that Plaintiff’s complaint is **DISMISSED WITH PREJUDICE**.

SO ORDERED.

/s/ Susan D. Wigenton
SUSAN D. WIGENTON, U.S.D.J.

Orig: Clerk
cc: Parties
André M. Espinosa, U.S.M.J.